

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

SYMBOLOGY INNOVATIONS, LLC,

*Plaintiff,*

v.

VALVE CORPORATION, GEARBOX  
SOFTWARE, L.L.C.,

*Defendants.*

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CIVIL ACTION NO. 2:23-CV-00419-JRG


**ORDER**

Before the Court is the Joint Motion to Sever and Stay Claims Against Defendant Gearbox Software, L.L.C. (the “Joint Motion”) filed by Plaintiff Symbology Innovations, LLC (“Symbology”) and Defendant Gearbox Software, L.L.C. (“Gearbox”). (Dkt. No. 65). In the Joint Motion, the Parties request that the Court “sever and stay Symbology’s claims against Gearbox.” (*Id.* at 1). The parties represent that “to the extent decisions in Symbology’s case against Valve resolve whether the accused Valve product meets the patent claims for purposes of infringement, Gearbox agrees to be bound by such rulings.” (*Id.* at 4). The parties also represent that “a decision in Symbology’s case against Valve would resolve major issues in the claims against Gearbox, as Symbology’s claims of infringement by Gearbox are based on a Valve product, and Symbology’s case against Valve will resolve whether that Valve product meets the claims limitations for purposes of infringement.” (*Id.*).

From the Joint Motion, it is unclear which exact rulings and decisions Gearbox agrees to be bound by if the Court grants the parties’ request to sever and stay the claims against Gearbox. For instance, it is not clear what precise effect an infringement ruling in the case against Valve

would have on the claims against Gearbox, nor is it clear whether Gearbox agrees to be bound by any determinations as to invalidity, ineligibility, or other aspects of the case against Valve. Accordingly, the Court **ORDERS** Symbology and Gearbox to file a Joint Notice **within 7 days** of the issuance of this Order that clarifies the Joint Motion as to which decisions in the case against Valve that Gearbox agrees to be bound by if the severance and stay of its case is granted. After clarification via this Joint Notice, the Court will revisit the Joint Motion.

**So ORDERED and SIGNED this 7th day of May, 2024.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE